

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DANIELLE L. BACHORZ,	:	CIVIL ACTION NO. 1:06-CV-0838
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
CHRISTOPHER M. SILVIO, et al.,	:	
	:	
Defendants	:	

O R D E R

AND NOW, this 22nd day of April, 2008, upon consideration of plaintiff's motion in limine (Doc. 61), which seeks to preclude defendant from offering evidence of a 2002 incident in which plaintiff's depression and alcohol abuse led to an attempted suicide, and it appearing that plaintiff was taking several anti-depressant medications and had consumed alcohol on the night of the events underlying the instant action (see Doc. 65, Ex. C ¶¶ 2, 4), that she had been advised by her doctor not to drink alcohol while taking these medications (see id. ¶ 3), and that she claims that she has "generally been able to drink on a limited social basis without having any difficulty" (see id. ¶¶ 2-3), and the court finding that, should plaintiff seek to offer such evidence at trial, the 2002 incident could be used to impeach plaintiff's credibility by countering her contention that she is able to mix her medications with alcohol "without having any difficulty" (see id.), it is hereby ORDERED that:

1. The court will DEFER ruling on the motion in limine (Doc. 61) until trial.

2. Defendants shall refrain from any reference to the 2002 incident during opening statements or thereafter subject, however, to paragraph 3 below.
3. If defendant intends to introduce evidence regarding the 2002 incident during cross-examination of the plaintiff, a hearing outside of the presence of the jury shall first be held at which the parties will address the admissibility of the proposed evidence under Rules 402, 403, and 607 of the Federal Rules of Evidence. During the hearing, the parties shall cite to applicable and controlling case law.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge